



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

APR 12 2007

OFFICE OF  
CIVIL RIGHTS

**RETURN RECEIPT REQUESTED**

Certified Mail #7004-1160-0004-8430-8206

**IN REPLY REFER TO**

EPA File No. 05R-02-R9

Michael L. Pops, Sr.  
President  
Concerned Residents of South Phoenix  
819 West St. Kateri Drive  
Phoenix, AZ 85041

**Re: Dismissal of Administrative Complaint**

Dear Mr. Pops:

This is to notify you that the U.S. Environmental Protection Agency (EPA) Office of Civil Rights (OCR) is dismissing the April 19, 2002, administrative complaint filed by the Concerned Residents of South Phoenix (CRSP). The complaint alleged that the Maricopa County Local Emergency Planning Committee (MCLEPC) and Arizona State Emergency Response Commission (AZSERC) violated Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. §§ 2000d *et seq.* (Title VI), and EPA's regulations implementing Title VI found at 40 C.F.R. Part 7. Specifically, the complaint alleged that MCLEPC and AZSERC created a disparate impact for Latinos and African Americans in South Phoenix during their administration of the Emergency Planning and Community Right-To-Know Act (EPCRA).

On November 9, 2005, CRSP withdrew the complaint allegations concerning AZSERC via a facsimile. OCR is also in receipt of your January 16, 2007, facsimile stating since MCLEPC "had made great strides in improving its program and increasing diversity on the committee," CRSP wished to formally withdraw the remaining allegations in their Title VI complaint. This dismissal, therefore, formally closes the file on your entire complaint (EPA File No. 5R-02-R9).

Under the Freedom of Information Act (FOIA), 5 U.S.C. § 552, it may be necessary to release this information, any related correspondence and records upon request. Should we receive such a request, we will seek to protect, to the extent provided by law, personal information which, if released, could constitute an unwarranted invasion of privacy.

If you have any questions regarding this complaint, please contact Yasmin Yorker, Assistant Director of the OCR External Compliance Program at (202) 343-9682, via e-mail at [yorker.yasmin@epa.gov](mailto:yorker.yasmin@epa.gov), or via mail at: U.S. EPA, Office of Civil Rights (Mail Code 1201A), 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20460.

Sincerely,

A handwritten signature in black ink, appearing to read "Karen D. Higginbotham", with a long horizontal flourish extending to the right.

Karen D. Higginbotham  
Director

cc: Del M. Caudle, Executive Director  
Maricopa County Local Emergency Planning Committee  
2035 North 52<sup>nd</sup> Street  
Phoenix, Arizona 85008

Daniel Roe, Executive Director  
Arizona Emergency Response Commission  
5636 East McDowell Road  
Phoenix, Arizona 85008

Stephen G. Pressman, Associate General Counsel  
Civil Rights and Finance Law Office (MC 2399A)

Jo Ann Asami, Title VI Coordinator  
EPA Region 9